

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

In re:

CENTURION PROPERTIES III, LLC,

Debtor.

NO: CV-12-5130-RMP

Bankruptcy No: 10-5024-FLK 11

Adversary No: 10-80118-FLK

CENTURION PROPERTIES III, LLC,
and SMI GROUP XIV, LLC,

Plaintiffs,

vs.

THOMAS R. HAZELRIGG III, et al.,

Defendants.

ORDER GRANTING MOTION FOR
PARTIAL WITHDRAWAL OF THE
REFERENCE

This matter comes before the Court on Plaintiffs' motion for a partial withdrawal of the reference, ECF No. 1. Defendant Chicago Title Insurance Company ("Chicago Title") does not oppose the motion. ECF No. 1, at 25-26. The Court has reviewed the motions, the responses, other relevant filings, and is fully informed.

ORDER GRANTING PARTIAL WITHDRAWAL OF THE REFERENCE ~ 1

1 The bankruptcy court has resolved all core proceedings in this matter,
2 entered a final decree, and closed the bankruptcy case. All that remains in this
3 adversary case is a state law tort claim asserted by Plaintiffs against Defendant
4 Chicago Title. Plaintiffs allege that Chicago Title recorded junior encumbrances
5 against land owned by Plaintiff Centurion Properties III, LLC ("CPIII") in
6 violation of certain agreements, thereby causing CPIII to default on its senior
7 mortgage. Plaintiffs seek money damages for their claims. Chicago Title denies
8 Plaintiffs' claims.

9 The remaining state law claim does not fall in-to any of the categories of
10 "core proceedings" defined by 28 U.S.C. § 157(b)(2), nor is the state law claim
11 otherwise related to a title 11 bankruptcy case under 28 U.S.C. § 157(c)(1).
12 Therefore the Court determines that withdrawal of the reference to the bankruptcy
13 court is appropriate under 28 U.S.C. § 157(d).

14 Accordingly, **IT IS HEREBY ORDERED** that Plaintiffs' motion for a
15 partial withdrawal of the reference, **ECF No. 1**, is **GRANTED**.

16 The District Court Executive is hereby directed to enter this Order and to
17 provide copies to counsel.

18 **DATED** this 27th day of December 2012.

19 s/ Rosanna Malouf Peterson
20 ROSANNA MALOUF PETERSON
Chief United States District Court Judge